



FILED
COURT OF COMMON PLEAS

2007 APR 24 PM 4: 08

GREGG, J. RUSH
CLERK OF COURTS
MONTGOMERY CO. OHIO
26

IN THE COMMON PLEAS COURT OF MONTGOMERY COUNTY, OHIO
CIVIL DIVISION

STEWART LAWSON
192 Penrod Avenue
Dayton, OH 45427,

Plaintiff,

v.

JACKSON TOWNSHIP
C/O Trustee Debra Johnson
49 East Walnut Street
Farmersville, Ohio 45325,

JON SHADE
49 East Walnut Street
Farmersville, Ohio 45325,

ELI WINKLER
49 East Walnut Street
Farmersville, Ohio 45325,

WAYNE E. TURNER
49 East Walnut Street
Farmersville, Ohio 45325,

JANE AND JOHN DOES 1-10
Names Unknown

Defendants.

Case No. **07-3410**

PLAINTIFF'S COMPLAINT WITH
JURY DEMAND ENDORSED
HEREON

Parties and Jurisdiction

Now comes Plaintiff, Stewart W. Lawson, by and through counsel, and based upon reasonable information and belief states his Complaint as follows:

1. Plaintiff, Stewart Lawson, is a citizen and resident of Montgomery County, Ohio, and is entitled to all the rights, privileges, and immunities secured by the Constitution and laws of the State of Ohio and the Constitution and the laws of the United States.
2. Defendant, Jackson Township is a township located in Montgomery County, Ohio, that provides government and police services within its boundaries, and has its main office at 49 East Walnut Street, Farmersville, Ohio 45325.
3. Defendant, Jon Shade (hereinafter "Defendant Schade") is an individual that was employed by Jackson Township as a Sergeant at all relevant times set forth herein. This Complaint charges Defendant Schade in his individual and official capacities.
4. Defendant, Eli Winkler (hereinafter "Defendant Winkler") is an individual that was employed by Jackson Township as a Detective at all relevant times set forth herein. This Complaint charges Defendant Winkler in his individual and official capacities.
5. Defendant, Wayne E. Turner (hereinafter "Defendant Turner") is an individual that was employed by Jackson Township as the Chief of Police at all relevant times set forth herein. In this capacity, Defendant Turner was the commanding officer of Defendants Schade and Winkler and was responsible for their training, supervision, and conduct. Defendant Turner was also responsible by law for enforcing the regulations of Jackson Township and for ensuring that Defendant officers obey the laws of the State of Ohio and of the United States. This Complaint charges Defendant Turner in his individual and official capacities.
6. Defendants Jane and John Does are individuals and/or entities whose names could not be ascertained with any certainty prior to filing this Complaint, and have liability in any manner with respect to the following causes of action because they supervised or

assisted in the actions of the named Defendants, and/or engaged in separate actions of a similar nature.

7. Defendants acted under color of state law.

Facts

8. Plaintiff Stewart Lawson owned a building that consisted of his home and a church, located at 1057 Johnsonville-Farmersville Road, New Lebanon, Ohio 45325.
9. Plaintiff resided at 1057 Johnsonville-Farmersville Road, New Lebanon, Ohio 45325, along with his daughter and her three children.
10. In the morning of April 25, 2006, Plaintiff's daughter and two of her children were in the home when Plaintiff left to run errands.
11. Plaintiff subsequently learned that his home was consumed by fire.
12. Plaintiff was distraught and in fear for his daughter's life.
13. Plaintiff returned home to find that his home was indeed engulfed in flames.
14. Plaintiff, fearing the worse, staggered in disbelief towards his home, which was approximately 300 yards away.
15. Plaintiff was tackled violently by Defendant Schade and Defendant Winkler.
16. While on the ground Plaintiff was repeatedly struck and abused by Defendants Schade and Winkler.
17. Plaintiff suffered severe injury and pain as a result of the actions of Defendants Schade and Winkler.
18. Plaintiff suffered extensive bruising swelling, fractured bones, as well as various other injuries resulting from Defendants Schade and Winkler's attack.
19. Despite Plaintiff's injuries and complaints of pain, he was placed into a police vehicle.

20. Not until he collapsed from the pain was Plaintiff placed in an Ambulance and transported to Good Samaritan Hospital.
21. Plaintiff slipped into a coma and was hospitalized for several weeks.
22. The abuse to which Plaintiff was subjected to by Defendants Schade and Winkler was consistent with an institutionalized practice of the Jackson Township Police Department, which was known to and ratified by Defendant Turner and John Doe and/or Jane Doe Jackson Township officials.
23. Despite knowledge of these institutionalized practices, Defendant Turner and John Doe and/or Jane Doe Jackson Township officials have at no time taken any effective action to prevent Jackson Township police personnel from continuing to engage in this type of misconduct.
24. Defendant Turner and John Doe and/or Jane Doe Jackson Township officials had prior notice of the vicious propensities of Defendant Schade and Winkler, but took no steps to train them, correct their abuse of authority, or to discourage their unlawful use of authority.
25. The failure of Defendant Turner and John Doe and/or Jane Doe Jackson Township officials to properly train Defendants Schade and Winkler included the failure to instruct them in applicable provisions of the laws of the State of Ohio and the proper and prudent use of force.
26. Defendant Turner and John Doe and/or Jane Doe Jackson Township officials authorized, tolerated as institutional practices, and ratified the misconduct detailed above by:

- a. Failing to adequately discipline or prosecute past incidents of unreasonable and excessive force;
- b. Failing to properly discipline, restrict, and control employees, including Defendants Schade and Winkler, known to be irresponsible in dealings with citizens of the community;
- c. Failing to take adequate precautions in the hiring, promotion, training and retention of police personnel, including Defendants Schade and Winkler;
- d. Failing to forward to the Office of the Prosecuting Attorney of Montgomery County, Ohio, evidence of criminal acts committed by police personnel;
- e. Failing to establish or assure the functioning of a bona fide and meaningful departmental system for dealing with complaints of police misconduct, but instead responding to these types of complaints with bureaucratic power and official denials calculated to mislead the public;
- f. Inaction in supervision and inaction and cover-up of incidents involving the use of excessive force, encourage officers employed by them to believe that the use of unreasonable and excessive force was permissible.

Cause of Action 1 – Assault and Battery

- 27. Plaintiff restates and incorporates the allegations of paragraphs 1-26.
- 28. Defendants Schade and Winkler did threaten Plaintiff with great bodily harm and/or unlawfully and intentionally struck Plaintiff using excessive force.
- 29. Defendants Schade and Winkler acted intentionally and/or maliciously.
- 30. As a result of Defendants' actions, Plaintiff feared for his safety and suffered damages.

Cause of Action II – Assault and Battery

- 31. Plaintiff restates and incorporates the allegations of paragraphs 1-30.
- 32. Defendants Schade and Winkler unlawfully and intentionally struck Plaintiff using excessive force.
- 33. Defendants Schade and Winkler acted intentionally and/or maliciously.
- 34. As a result of Defendants Schade and Winkler's actions, Plaintiff feared for his safety and suffered damages.

Cause of Action III – 1983 Fourth Amendment (Excessive Force)

- 35. Plaintiff restates and incorporates the allegations of paragraphs 1-34.
- 36. Defendants Schade and Winkler, used unreasonable and excessive force against Plaintiff, or failed to intervene and halt the unreasonable and excessive use of force against Plaintiff, when in a position to do so, in violation of 42 U.S.C. § 1983. Insofar as Defendants Schade and Winkler, acted within the authority provided to them by Defendant Jackson Township, then Jackson Township is jointly and severally liable for their actions.
- 37. The conduct of Defendants deprived Plaintiff of the rights, privileges and immunities secured by the Constitutional and the laws of the United States, and displayed a reckless and/or callous indifference to these rights.
- 38. As a result of Defendants' actions, Plaintiff suffered damages.

Cause of Action IV – 1983 Substantive Due Process

- 39. Plaintiff restates and incorporates the allegations of paragraphs 1-38.

40. The actions of Defendants Schade and Winkler were done intentionally, willfully and/or with deliberated, callous and/or reckless indifference or disregard for the rights secured to Plaintiff under the United States Constitution.
41. Defendants Schade and Winkler engaged in misconduct that disregarded the right of substantive due process guaranteed Plaintiff by the Fourteenth Amendment to the United States Constitution. Insofar as Defendants Schade and Winkler acted with the authority provided to them by Defendant Jackson Township and/or in accordance with the custom, policy and/or training by Defendant Jackson Township, then Defendant Jackson Township is jointly and severally liable for their actions.
42. Defendants' conduct gives rise to relief pursuant to 42 U.S.C. § 1983.
43. As a result of Defendants' actions, Plaintiff suffered damages.

Cause of Action V – Cruel and Unusual Punishment

44. Plaintiff restates and incorporates the allegations of paragraphs 1-43.
45. Defendants herein were deliberately indifferent to Plaintiff's serious medical needs, as well as to the cruel and unusual punishment inflicted upon Plaintiff, which deliberate indifference directly and proximately caused Plaintiff's damages.
46. Defendants' conduct gives rise to relief pursuant to 42 U.S.C. § 1983.

Cause of Action VI - Intentional, Reckless or Negligent Infliction of Severe Emotional Distress

47. Plaintiff restates and incorporates the allegations of paragraphs 1 through 46.
48. Defendants acted intentionally, recklessly or negligently and knew or should have known that their actions would result in serious emotional distress to Plaintiff.
49. Defendants' conduct exceeded all possible bounds of decency.
50. As a result of Defendants' actions, Plaintiff has suffered serious mental anguish.

Prayer for Relief

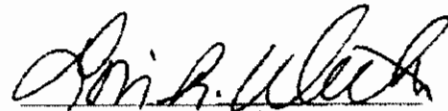
Wherefore, Plaintiff prays this Honorable Court:

- a) Enters judgment in Plaintiff's favor and against Defendants on Counts I, II, III, IV, V, and VI of Plaintiff's Complaint;
- b) Award Plaintiff compensatory damages in an amount in excess of \$25,000.00;
- c) Award Plaintiff Punitive damages in an amount to be determined at trial;
- d) Award Plaintiff costs and reasonable attorneys' fees in this action;
- e) Award Plaintiff prejudgment interest and post-judgment interest; and,

Grant such other relief as this Court may deem just and necessary.

Respectfully submitted,

CICERO & KOLLIN, PLL



ANTHONY R. CICERO # 0065408
LORI R. WITHERS # 0079508
500 East Fifth Street
Dayton, Ohio 45402
Phone: 937.424.5390
Facsimile: 937. 424.5393
ATTORNEY FOR PLAINTIFF

JURY DEMAND

Plaintiff demands a trial by jury.



**MONTGOMERY COMMON PLEAS COURT/GENERAL DIVISION
CIVIL CASE INFORMATION FORM**

FILED
COURT OF COMMON PLEAS This form must be completed and filed with all civil suits.

2007 APR 24 PM 4:08

PARTIES

07-3410

Stewart W. Lawson
Main Plaintiff
CLERK OF COURTS
MONTGOMERY CO. OHIO
26

Case Number _____

Anthony R. Cicero
Main Counsel for Plaintiff
(If Pro Se, include telephone number)

0065408
Atty. Registration Number

-VS-

Jackson Township
Main Defendant

Jury Demand ☒ Yes ☐ No

Prayer Amount \$ greater than \$25,000

Deposit Amount \$ _____

If Known, Main Counsel for Defendant _____

TYPE OF RESOLUTION

☐ Mediation ☐ Arbitration ☐ Magistrate ☒ Trial

TYPE OF ACTION

- | | |
|---|--|
| <input type="checkbox"/> AA Administrative Appeal | <input checked="" type="checkbox"/> OT Other Torts |
| <input type="checkbox"/> A Appropriation | <input type="checkbox"/> PI Personal Injury |
| <input type="checkbox"/> DJ Declaratory Judgment | <input type="checkbox"/> PL Product Liability |
| <input type="checkbox"/> FE Forcible Entry | <input type="checkbox"/> PT Professional Tort |
| <input type="checkbox"/> HC Habeas Corpus | <input type="checkbox"/> WC Worker's Compensation |
| <input type="checkbox"/> I Injunction | <input type="checkbox"/> AO All Others-State Type |
| <input type="checkbox"/> MM Medical Malpractice | |
| <input type="checkbox"/> MF Mortgage Foreclosure | |

Parcel Number

REFILING INFORMATION

Is this a refiling of a previous related case? ☐ Yes ☐ No

If Yes, please complete the following:

Case Number: _____ Assigned Judge: _____

Parties: _____ vs. _____

SUITS INVOLVING LIKE ISSUES AND SIMILAR PARTIES

Are there any cases pending that arise from the same incident or related parties? ☐ Yes ☐ No

If Yes, please complete the following:

Case Number: _____ Assigned Judge: _____

Parties: _____ vs. _____

Original - Clerk
Copy - Counsel
11/2/99

Anthony R. Cicero
Signature of Attorney or Party Filing Suit



FILED
COURT OF COMMON PLEAS

2007 APR 24 PM 4:08

GREGORY A. BRUSH
CLERK OF COURTS
MONTGOMERY CO. OHIO
26

GREGORY A. BRUSH

CLERK OF COURTS

41 N. PERRY STREET, DAYTON, OHIO 45422

INSTRUCTIONS FOR SERVICE

Stewart W. Lawson

PLAINTIFF/PETITIONER

-VS-AND-

Jackson Township, et al.

DEFENDANT/PETITIONER

'07 - 3410

CASE NO.

PLEASE ISSUE SERVICE TO: (Name & Address)

Jackson Township, c/o Debra Johnson

49 E. Walnut Street

Farmersville, Ohio 45325

Jon Schade

49 E. Walnut Street

Farmersville, Ohio 45325

VIA:

☐

PERSONAL

☐

REGULAR MAIL

☐

RESIDENTIAL

☒

CERTIFIED MAIL

☐

PROCESS SERVER

TO BE SERVED: (List all Documents to be Served)

Complaint

NAME:

Don B. [Signature]

Attorney for: Stewart W. Lawson



**IN THE COURT OF COMMON PLEAS, MONTGOMERY COUNTY
CIVIL DIVISION**

**FILED
COURT OF COMMON PLEAS**

2007 APR 25 AM 10:44

**GREGORY A. BRUSH
CLERK OF COURTS
MONTGOMERY CO. OHIO
9**

SUMMONS

**PLAINTIFF:
STEWART W LAWSON
VS.**

CASE NUMBER: 2007 CV 03410

**DEFENDANT:
JACKSON TOWNSHIP et al**

ARTICLE NO: 7104223016901874244

TO THE FOLLOWING NAMED DEFENDANT:

**JACKSON TOWNSHIP
49 EAST WALNUT STREET
FARMERSVILLE, OH 45325**

**YOU HAVE BEEN NAMED DEFENDANT IN A COMPLAINT FILED IN MONTGOMERY COUNTY COURT
OF COMMON PLEAS, DAYTON, OHIO, 45422**

BY

**PLAINTIFF:
STEWART W LAWSON**

A COPY OF THE COMPLAINT FILED IS ATTACHED HERETO.

**PLAINTIFF'S ATTORNEY:
ANTHONY R CICERO**

**YOU ARE HEREBY SUMMONED AND REQUIRED TO SERVE UPON ANTHONY R CICERO, OR UPON
STEWART W LAWSON, IF S/HE HAS NO ATTORNEY OF RECORD, A COPY OF AN ANSWER TO THE
COMPLAINT WITHIN TWENTY-EIGHT (28) DAYS AFTER SERVICE OF THIS SUMMONS ON YOU,
EXCLUSIVE OF THE DAY OF SERVICE. YOUR ANSWER MUST BE FILED WITH THE COURT WITHIN
THREE (3) DAYS AFTER THE SERVICE OF A COPY OF THE ANSWER ON ANTHONY R CICERO.**

**IF YOU FAIL TO APPEAR AND DEFEND, JUDGMENT BY DEFAULT WILL BE RENDERED AGAINST
YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.**

**GREGORY A. BRUSH, CLERK
COURT OF COMMON PLEAS
MONTGOMERY COUNTY, OHIO**

Prepared By SYORK, Deputy Clerk, on April 25, 2007.

RETURN OF SERVICE OF SUMMONS (PERSONAL)

Service Fees \$ _____
 Mileage _____
 Total \$ _____
 Date: _____

I received this summons on _____, 2007,
 at _____ o'clock _____ M. and made personal service of it upon _____
 By locating him-them and tendering a copy of summons and _____
 Accompanying documents, on _____, 2007.

(Sheriff, Bailiff, Process Server)

By _____ Deputy

RETURN OF SERVICE OF SUMMONS (RESIDENCE)

Service Fees \$ _____
 Mileage _____
 Total \$ _____
 Date: _____

I received this summons on _____, 2007,
 at _____ o'clock _____ M. and made residence service of it upon
 the defendant(s) _____

by leaving, at his-their usual place of residence with _____

A person of suitable age and discretion then residing therein,
 a copy of the complaint and accompanying documents, on _____, 2007

(Sheriff, Bailiff, Process Server)

BY _____ Deputy

RETURN OF SERVICE OF SUMMONS (FAILURE OF SERVICE)

Service Fees \$ _____
 Mileage _____
 Total \$ _____
 Date: _____

I received this summons on _____, 2007
 at _____ o'clock _____ M. with instructions to make personal-
 residence service upon the defendant(s) _____

and I was unable to serve a copy of the summons upon him-them
 for the following reasons: _____

(Sheriff, Bailiff, Process Server)

By _____ Deputy

IN THE COURT OF COMMON PLEAS, MONTGOMERY COUNTY OHIO

FILED CIVIL DIVISION
COURT OF COMMON PLEAS

2007 APR 25 AM 10:44

GREGORY A. BRUSH
CLERK OF COURTS
MONTGOMERY CO. OHIO
S

SUMMONS

PLAINTIFF:

STEWART W LAWSON

VS.

CASE NUMBER: 2007 CV 03410

DEFENDANT:

JACKSON TOWNSHIP et al

ARTICLE NO: 7104223016901874245

TO THE FOLLOWING NAMED DEFENDANT:

JON SHADE
49 EAST WALNUT STREET
FARMERSVILLE, OH 45325

YOU HAVE BEEN NAMED DEFENDANT IN A COMPLAINT FILED IN MONTGOMERY COUNTY COURT
OF COMMON PLEAS, DAYTON, OHIO, 45422

BY

PLAINTIFF:

STEWART W LAWSON

A COPY OF THE COMPLAINT FILED IS ATTACHED HERETO:

PLAINTIFF'S ATTORNEY:

ANTHONY R CICERO

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GREGORY A. BRUSH, CLERK
COURT OF COMMON PLEAS
MONTGOMERY COUNTY, OHIO

Prepared By SYORK, Deputy Clerk, on April 25, 2007.

RETURN OF SERVICE OF SUMMONS (PERSONAL)

Fees
Service \$ _____
Mileage _____
Total \$ _____
Date: _____

I received this summons on _____, 2007,
at _____ o'clock ____ M. and made personal service of it upon

By locating him-them and tendering a copy of summons and
Accompanying documents, on _____, 2007.

(Sheriff, Bailiff, Process Server)

By _____ Deputy

RETURN OF SERVICE OF SUMMONS (RESIDENCE)

Fees
Service \$ _____
Mileage _____
Total \$ _____
Date: _____

I received this summons on _____, 2007,
at _____ o'clock ____ M. and made residence service of it upon
the defendant(s) _____

by leaving, at his-their usual place of residence with _____

A person of suitable age and discretion then residing therein,
a copy of the complaint and accompanying documents, on
_____, 2007

(Sheriff, Bailiff, Process Server)

BY _____ Deputy

RETURN OF SERVICE OF SUMMONS (FAILURE OF SERVICE)

Fees
Service \$ _____
Mileage _____
Total \$ _____
Date: _____

I received this summons on _____, 2007,
at _____ o'clock ____ M. with instructions to make personal-
residence service upon the defendant(s) _____

and I was unable to serve a copy of the summons upon him-them
for the following reasons: _____

(Sheriff, Bailiff, Process Server)

By _____ Deputy

IN THE COURT OF COMMON PLEAS, MONTGOMERY COUNTY OHIO

FILED
CIVIL DIVISION
COURT OF COMMON PLEAS

2007 APR 25 AM 10:44

GREGORY A. BRUSH
CLERK OF COURTS
MONTGOMERY CO. OHIO
9

SUMMONS

PLAINTIFF:

STEWART W LAWSON

VS.

CASE NUMBER: 2007 CV 03410

DEFENDANT:

JACKSON TOWNSHIP et al

ARTICLE NO: 7104223016901874246

TO THE FOLLOWING NAMED DEFENDANT:

ELI WINKLER
49 EAST WALNUT STREET
FARMERSVILLE, OH 45325

YOU HAVE BEEN NAMED DEFENDANT IN A COMPLAINT FILED IN MONTGOMERY COUNTY COURT
OF COMMON PLEAS, DAYTON, OHIO, 45422

BY

PLAINTIFF:

STEWART W LAWSON

A COPY OF THE COMPLAINT FILED IS ATTACHED HERETO:

PLAINTIFF'S ATTORNEY:

ANTHONY R CICERO

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YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

GREGORY A. BRUSH, CLERK
COURT OF COMMON PLEAS
MONTGOMERY COUNTY, OHIO

Prepared By SYORK, Deputy Clerk, on April 25, 2007.

RETURN OF SERVICE OF SUMMONS (PERSONAL)

Fees
Service \$ _____
Mileage _____
Total \$ _____
Date: _____

I received this summons on _____, 2007,
at _____ o'clock _____ M. and made personal service of it upon _____

By locating him-them and tendering a copy of summons and
Accompanying documents, on _____, 2007.

(Sheriff, Bailiff, Process Server)

By _____ Deputy

RETURN OF SERVICE OF SUMMONS (RESIDENCE)

Fees
Service \$ _____
Mileage _____
Total \$ _____
Date: _____

I received this summons on _____, 2007,
at _____ o'clock _____ M. and made residence service of it upon
the defendant(s) _____

by leaving, at his-their usual place of residence with _____

A person of suitable age and discretion then residing therein,
a copy of the complaint and accompanying documents, on
_____, 2007

(Sheriff, Bailiff, Process Server)

BY _____ Deputy

RETURN OF SERVICE OF SUMMONS (FAILURE OF SERVICE)

Fees
Service \$ _____
Mileage _____
Total \$ _____
Date: _____

I received this summons on _____, 2007,
at _____ o'clock _____ M. with instructions to make personal-
residence service upon the defendant(s) _____

and I was unable to serve a copy of the summons upon him-them
for the following reasons: _____

(Sheriff, Bailiff, Process Server)

By _____ Deputy

IN THE COURT OF COMMON PLEAS, MONTGOMERY COUNTY OHIO

FILED CIVIL DIVISION
COURT OF COMMON PLEAS

2007 APR 25 AM 10:45

GREGORY A. BRUSH
CLERK OF COURTS
MONTGOMERY CO. OHIO
9

SUMMONS

PLAINTIFF:
STEWART W LAWSON
VS.

CASE NUMBER: 2007 CV 03410

DEFENDANT:
JACKSON TOWNSHIP et al

ARTICLE NO: 7104223016901874247

TO THE FOLLOWING NAMED DEFENDANT:

WAYNE E TURNER
49 EAST WALNUT STREET
FARMERSVILLE, OH 45325

YOU HAVE BEEN NAMED DEFENDANT IN A COMPLAINT FILED IN MONTGOMERY COUNTY COURT
OF COMMON PLEAS, DAYTON, OHIO, 45422

BY

PLAINTIFF:
STEWART W LAWSON

A COPY OF THE COMPLAINT FILED IS ATTACHED HERETO:

PLAINTIFF'S ATTORNEY:
ANTHONY R CICERO

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STEWART W LAWSON, IF S/HE HAS NO ATTORNEY OF RECORD, A COPY OF AN ANSWER TO THE
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GREGORY A. BRUSH, CLERK
COURT OF COMMON PLEAS
MONTGOMERY COUNTY, OHIO

Prepared By SYORK, Deputy Clerk, on April 25, 2007.

RETURN OF SERVICE OF SUMMONS (PERSONAL)

Service Fees
Mileage \$
Total \$
Date:

I received this summons on _____, 2007,
at _____ o'clock _____ M. and made personal service of it upon
~~By locating him them and tendering a copy of summons and~~
Accompanying documents, on _____, 2007.

(Sheriff, Bailiff, Process Server)

By _____ Deputy

RETURN OF SERVICE OF SUMMONS (RESIDENCE)

Service Fees
Mileage \$
Total \$
Date:

I received this summons on _____, 2007,
at _____ o'clock _____ M. and made residence service of it upon
the defendant(s)

by leaving, at his-their usual place of residence with _____

A person of suitable age and discretion then residing therein,
a copy of the complaint and accompanying documents, on
_____, 2007

(Sheriff, Bailiff, Process Server)

BY _____ Deputy

RETURN OF SERVICE OF SUMMONS (FAILURE OF SERVICE)

Service Fees
Mileage \$
Total \$
Date:

I received this summons on _____, 200
at _____ o'clock _____ M. with instructions to make personal-
residence service upon the defendant(s) _____

and I was unable to serve a copy of the summons upon him-then
for the following reasons: _____

(Sheriff, Bailiff, Process Server)

By _____ Deputy

Case: 2007 CV 03410



COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

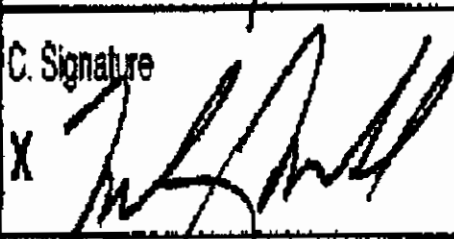
B. Date of

Melanny Milrad

4/2

C. Signature

X



D. Is delivery Address different from item 1? ☐

If YES, enter delivery address below: ☐

1. Article Addressed To:

7104 2230 1690 1874 244

2007 CV 03410

JACKSON TOWNSHIP

49 EAST WALNUT STREET

FARMERSVILLE, OH 43925

3. Service Type

☒ Certified Mail

RECEIVED

4. Restricted Delivery? (Extra Fee) ☐

2. Article Number (Copy from service label)

7104 2230 1690 1874 2443

PS Form 3811, July 1999

Postmaster: Return Receipt

UNITED STATES POSTAL SERVICE
DAYTON OH 454

26 APR 2007 PM 3 T

First-Class Mail
Postage & Fees
USPS
Permit No. 9-10

FILED
COURT OF COMMON PLEAS
07 APR 27 AM 11:48
GREGORY A. BRUSH
CLERK OF COURTS
MONTGOMERY CO. OH
MONTGOMERY COUNTY CLERK OF COURTS
41 N PERRY STREET
DAYTON, OHIO 45422-2150

Case: 2007 CV 03410



COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of

Melvin M. M...

4/2

C. Signature

X

[Signature]

☐

D. Is delivery Address different from item 1? ☐

If YES, enter delivery address below: ☐

☐

1. Article Addressed To:

7104 2230 1690 1874 247

2007 CV 03410

WAYNE E TURNER
49 EAST WALNUT STREET
FARMERSVILLE, OH 43025

3. Service Type

☒ Certified Mail

SCANNED

4. Restricted Delivery? (Extra Fee)

☐

2. Article Number (Copy from service label)

7104 2230 1690 1874 2474

PS Form 3811 July 1990

Domestic Return Receipt

UNITED STATES POSTAL SERVICE DAYTON OH 454

26 APR 2007 PM 3 2

First-Class Mail
Postage & Fees
USPS
Permit No. 6-10

FILED
COURT OF COMMON PLEAS

07 APR 27 AM 11:48

GREGORY A. BRUSH
CLERK OF COURTS
MONTGOMERY COUNTY, OHIO
MONTGOMERY COUNTY CLERK OF COURTS
41 N PERRY STREET
DAYTON, OHIO 45422-2150



COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of

Melanny Nichols 4/26

C. Signature

X ☐ A ☐ B

D. Is delivery Address different from item 1? ☐ Y

If YES, enter delivery address below: ☐ N

Article Addressed To:

7104 2230 1690 1874 246

2007 CV 03410

ELI WINKLER
49 EAST WALNUT STREET
FARMERSVILLE, OH 43325

3. Service Type

☒ Certified Mail

4. Restricted Delivery? (Extra Fee) ☐ Y

Article Number (Copy from service label)

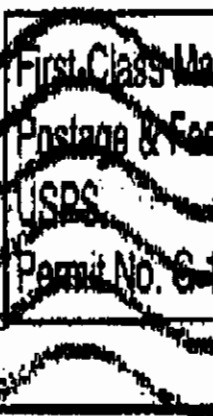
7104 2230 1690 1874 2467

Form 3811 July 1999

Domestic Return Receipt

UNITED STATES POSTAL SERVICE
DAYTON OH 454

26 APR 2007 PM 3 L



FILED
COURT OF COMMON PLEAS

07 APR 27 AM 11:48

GREGORY A. BRUSH
CLERK OF COURTS
MONTGOMERY CO. OHIO

GREGORY A. BRUSH
27 MONTGOMERY COUNTY CLERK OF COURTS
41 N PERRY STREET
DAYTON, OHIO 45422-2150

Case: 2007 CV 03410



9635500
PR

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of

Melanny Michay 4/20

C. Signature

X [Signature] ☐ ☐

D. Is delivery Address different from item 1? ☐

IF YES, enter delivery address below: ☐

1. Article Addressed To:

7104 2230 1690 1874 2450

2007 CV 03410

JON SHADE

49 EAST WALNUT STREET

FARMERSVILLE, OH 45325

3. Service Type

☒ Certified Mail

4. Restricted Delivery? (Extra Fee)

☐

2. Article Number (Copy from service label)

7104 2230 1690 1874 2450

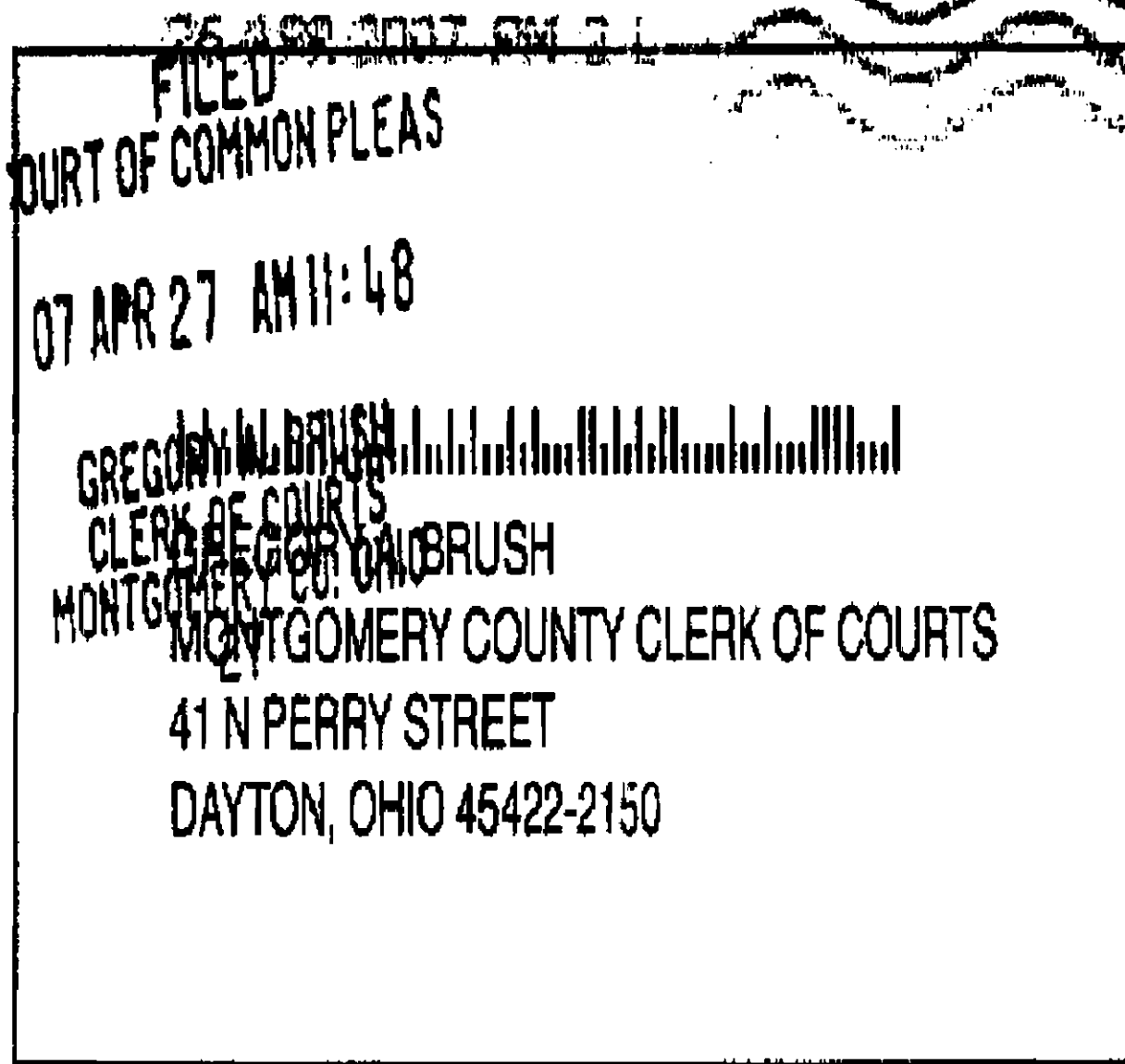
PS Form 3811, July 1999

Postmaster: Return Receipt

UNITED STATES POSTAL SERVICE

DAYTON OH 454

First-Class Mail
Postage & Fees
USPS
Permit No. G-10



GREGORY A. BRUSH

FILED
COURT OF COMMON PLEAS

CLERK OF COURTS

2007 APR 24 PM 4: 09

41 N. PERRY STREET, DAYTON, OHIO 45422
GREGORY A. BRUSH
CLERK OF COURTS
MONTGOMERY CO. OHIO
26

INSTRUCTIONS FOR SERVICE

Stewart W. Lawson

PLAINTIFF/PETITIONER

-VS- AND-

CASE NO. _____

Jackson Township, et al.

DEFENDANT/PETITIONER

PLEASE ISSUE SERVICE TO: (Name & Address)

Eli Winkler

Wayne E. Turner

49 E. Walnut Street

49 E. Walnut Street

Farmersville, Ohio 45325

Farmersville, Ohio 45325

VIA:

☐

PERSONAL

☐

REGULAR MAIL

☐

RESIDENTIAL

☒

CERTIFIED MAIL

☐

PROCESS SERVER

TO BE SERVED: (List all Documents to be Served)

Complaint

NAME: _____

Attorney for: *Stewart W. Lawson*